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10 Attorneys for Defendants Adam

11 Shryock and Pure Savings, LLC, sued

12 as The Seven Group

13 **UNITED STATES DISTRICT COURT**

14 **SOUTHERN DISTRICT OF CALIFORNIA**

15 **KEEP A BREAST FOUNDATION, a Non-**  
16 **Profit Corporation,**

17 **Plaintiff,**

18 **vs.**

19 **THE SEVEN GROUP, an entity of form**  
20 **unknown; and ADAM SHRYOCK, an**  
21 **individual; and DOES 1 through 25,**

22 **Defendants.**

**CASE NO. 11 CV0570 BEN WMc**

**DEFENDANTS ADAM SHRYOCK AND**  
**PURE SAVINGS, LLC'S ANSWER TO**  
**PLAINTIFF'S FIRST AMENDED**  
**COMPLAINT**

**DEMAND FOR JURY TRIAL**

1 Defendants ADAM SHRYOCK ("Shryock") and PURE SAVINGS, LLC, sued  
2 erroneously herein as The Seven Group ("Pure Savings") hereby answer the First Amended  
3 Complaint ("FAC") of Plaintiff KEEP A BREAST FOUNDATION ("Plaintiff" or "KAB"), and  
4 aver as follows:

5 1. Paragraph 1 contains only legal conclusions for which no response by Defendants  
6 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 1 are not conclusions,  
7 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
8 allegations of Paragraph 1 of the FAC, and on that basis, deny them.

9 2. Paragraph 2 contains only legal conclusions for which no response by Defendants  
10 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 2 are not conclusions,  
11 Defendants Shryock and Pure Savings admit that the FAC purports to be a complaint based on the  
12 claims described, and deny all other allegations against them. As to all other defendants,  
13 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
14 allegations of Paragraph 2 of the FAC, and on that basis, deny them.

15 3. Paragraph 3 contains only legal conclusions for which no response by Defendants  
16 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 3 are not conclusions,  
17 Defendants Shryock and Pure Savings deny all allegations directed at them, or either of them in  
18 Paragraph 3 of the FAC. As to the allegations against all other defendants, Defendants Shryock  
19 and Pure Savings lack information or belief sufficient to admit or deny the allegations of  
20 Paragraph 3 of the FAC, and on that basis, deny them.

21 4. Paragraph 4 contains only legal conclusions for which no response by Defendants  
22 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 4 are not conclusions,  
23 Defendants Shryock and Pure Savings deny all allegations directed at them, or either of them in  
24 Paragraph 4 of the FAC. As to the allegations against all other defendants, Defendants Shryock  
25 and Pure Savings lack information or belief sufficient to admit or deny the allegations of  
26 Paragraph 4 of the FAC, and on that basis, deny them.

27 5. Paragraph 5 contains only legal conclusions for which no response by Defendants  
28 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 5 are not conclusions,

1 Defendants Shryock and Pure Savings deny all allegations directed at them, or either of them in  
2 Paragraph 5 of the FAC. As to the allegations against all other defendants, Defendants Shryock  
3 and Pure Savings lack information or belief sufficient to admit or deny the allegations of  
4 Paragraph 5 of the FAC, and on that basis, deny them.

5         6. Paragraph 6 contains only legal conclusions for which no response by Defendants  
6 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 6 are not conclusions,  
7 Defendants Shryock and Pure Savings admit that the FAC purports to seek the relief summarized  
8 in Paragraph 6 of the FAC. Further, Defendants Shryock and Pure Savings deny all allegations  
9 directed at them, or either of them in Paragraph 6 of the FAC. As to the allegations against all  
10 other defendants, Defendants Shryock and Pure Savings lack information or belief sufficient to  
11 admit or deny the allegations of Paragraph 6 of the FAC, and on that basis, deny them.

12         7. Paragraph 7 contains only legal conclusions for which no response by Defendants  
13 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 7 are not conclusions,  
14 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
15 allegations of Paragraph 7 of the FAC, and on that basis, deny them.

16         8. Paragraph 8 contains only legal conclusions for which no response by Defendants  
17 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 8 are not conclusions,  
18 Defendants Shryock and Pure Savings admit that Shryock is an individual and resident of San  
19 Francisco, California. As to all other allegations in Paragraph 8 of the FAC, Defendants Shryock  
20 and Pure Savings lack information or belief sufficient to admit or deny the allegations of  
21 Paragraph 8 of the FAC, and on that basis, deny them.

22         9. Paragraph 9 contains only legal conclusions for which no response by Defendants  
23 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 9 are not conclusions,  
24 Defendants Shryock and Pure Savings deny them.

25         10. Paragraph 10 contains only legal conclusions for which no response by Defendants  
26 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 10 are not  
27 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
28 or deny the allegations, and on that basis, deny them.

1           11. Paragraph 11 contains only legal conclusions for which no response by Defendants  
2 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 11 are not  
3 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
4 of them in Paragraph 11 of the FAC. As to the allegations against all other defendants,  
5 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
6 allegations of Paragraph 11 of the FAC, and on that basis, deny them.

7           12. Paragraph 12 contains only legal conclusions for which no response by Defendants  
8 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 12 are not  
9 conclusions, Defendants Shryock and Pure Savings admit that the FAC purports to be a complaint  
10 based on the claims described, and deny all other allegations.

11           13. Paragraph 13 contains only legal conclusions for which no response by Defendants  
12 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 13 are not  
13 conclusions, Defendants Shryock and Pure Savings admit that the FAC purports to be a complaint  
14 based on the claims described, and deny all other allegations.

15           14. Paragraph 14 contains only legal conclusions for which no response by Defendants  
16 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 14 are not  
17 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
18 of them in Paragraph 14 of the FAC. As to the allegations against all other defendants,  
19 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
20 allegations of Paragraph 14 of the FAC, and on that basis, deny them.

21           15. Paragraph 15 contains only legal conclusions for which no response by Defendants  
22 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 15 are not  
23 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
24 of them in Paragraph 15 of the FAC. As to the allegations against all other defendants,  
25 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
26 allegations of Paragraph 15 of the FAC, and on that basis, deny them.

27           16. Paragraph 16 contains only legal conclusions for which no response by Defendants  
28 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 16 are not

1 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
2 of them in Paragraph 16 of the FAC. As to the allegations against all other defendants,  
3 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
4 allegations of Paragraph 16 of the FAC, and on that basis, deny them.

5 17. Paragraph 17 contains only legal conclusions for which no response by Defendants  
6 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 17 are not  
7 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
8 of them in Paragraph 17 of the FAC. As to the allegations against all other defendants,  
9 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
10 allegations of Paragraph 17 of the FAC, and on that basis, deny them.

11 18. Paragraph 18 contains only legal conclusions for which no response by Defendants  
12 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 18 are not  
13 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
14 or deny the allegations of Paragraph 18 of the FAC, and on that basis, deny them.

15 19. Paragraph 19 contains only legal conclusions for which no response by Defendants  
16 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 19 are not  
17 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
18 or deny the allegations of Paragraph 19 of the FAC, and on that basis, deny them.

19 20. Paragraph 20 contains only legal conclusions for which no response by Defendants  
20 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 20 are not  
21 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
22 or deny the allegations of Paragraph 20 of the FAC, and on that basis, deny them.

23 21. Paragraph 21 contains only legal conclusions for which no response by Defendants  
24 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 21 are not  
25 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
26 or deny the allegations of Paragraph 21 of the FAC, and on that basis, deny them.

27 22. Paragraph 22 contains only legal conclusions for which no response by Defendants  
28 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 22 are not

1 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
2 or deny the allegations of Paragraph 22 of the FAC, and on that basis, deny them.

3 23. Paragraph 23 contains only legal conclusions for which no response by Defendants  
4 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 23 are not  
5 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
6 of them in Paragraph 23 of the FAC. As to the allegations against all other defendants,  
7 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
8 allegations of Paragraph 23 of the FAC, and on that basis, deny them.

9 24. Paragraph 24 contains legal conclusions for which no response by Defendants  
10 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 24 are not  
11 conclusions, Defendants Shryock and Pure Savings admit that Defendant Pure Savings sold the t-  
12 shirts and bracelets described at or near sporting events, and deny all additional allegations  
13 directed at them, or either of them in Paragraph 24 of the FAC. As to the allegations against all  
14 other defendants, Defendants Shryock and Pure Savings lack information or belief sufficient to  
15 admit or deny the allegations of Paragraph 24 of the FAC, and on that basis, deny them.

16 25. Paragraph 25 contains legal conclusions for which no response by Defendants  
17 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 25 are not  
18 conclusions, Defendants Shryock and Pure Savings admit that Defendant Pure Savings was  
19 promoting breast cancer awareness and that its website included collages of pictures which  
20 featured some of its employees and/or independent contractors, and deny all additional allegations  
21 directed at them, or either of them in Paragraph 25 of the FAC. As to the allegations against all  
22 other defendants, Defendants Shryock and Pure Savings lack information or belief sufficient to  
23 admit or deny the allegations of Paragraph 25 of the FAC, and on that basis, deny them.

24 26. Paragraph 26 contains legal conclusions for which no response by Defendants  
25 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 26 are not  
26 conclusions, Defendants Shryock and Pure Savings admit that Defendant Pure Savings received  
27 correspondence purporting to be from Plaintiff's legal representative, the content of which speaks  
28 for itself, and deny all additional allegations directed at them, or either of them in Paragraph 26 of

1 the FAC. As to the allegations against all other defendants, Defendants Shryock and Pure Savings  
2 lack information or belief sufficient to admit or deny the allegations of Paragraph 26 of the FAC,  
3 and on that basis, deny them.

4 27. Paragraph 27 contains legal conclusions for which no response by Defendants  
5 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 27 are not  
6 conclusions, Defendants Shryock and Pure Savings admit that Defendant Pure Savings transmitted  
7 correspondence to the person purporting to be Plaintiff's legal representative, the content of which  
8 speaks for itself, and deny all additional allegations directed at them, or either of them in  
9 Paragraph 26 of the FAC. As to the allegations against all other defendants, Defendants Shryock  
10 and Pure Savings lack information or belief sufficient to admit or deny the allegations of  
11 Paragraph 26 of the FAC, and on that basis, deny them.

12 28. Paragraph 28 contains legal conclusions for which no response by Defendants  
13 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 28 are not  
14 conclusions, Defendants Shryock and Pure Savings admit that Defendant Pure Savings received  
15 correspondence purporting to be from Plaintiff's legal representative, the content of which speaks  
16 for itself, and deny all additional allegations directed at them, or either of them in Paragraph 28 of  
17 the FAC. As to the allegations against all other defendants, Defendants Shryock and Pure Savings  
18 lack information or belief sufficient to admit or deny the allegations of Paragraph 28 of the FAC,  
19 and on that basis, deny them.

20 29. Defendants Shryock and Pure Savings admit that Defendant Pure Savings sent an  
21 email on or about that date, which speaks for itself, and deny all remaining allegations regarding  
22 them contained in Paragraph 29 of the FAC. As to the allegations against all other defendants,  
23 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
24 allegations of Paragraph 29 of the FAC, and on that basis, deny them.

25 30. Defendants Shryock and Pure Savings admit that Defendant Pure Savings sent an  
26 email on or about that date, which speaks for itself, and deny all remaining allegations regarding  
27 them contained in Paragraph 30 of the FAC. As to the allegations against all other defendants,  
28 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the



1 allegations of Paragraph 30 of the FAC, and on that basis, deny them.

2 31. Paragraph 31 contains only legal conclusions for which no response by Defendants  
3 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 31 are not  
4 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
5 or deny the allegations of Paragraph 31 of the FAC, and on that basis, deny them.

6 32. Paragraph 32 contains only legal conclusions for which no response by Defendants  
7 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 32 are not  
8 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
9 of them in Paragraph 32 of the FAC. As to the allegations against all other defendants,  
10 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
11 allegations of Paragraph 32 of the FAC, and on that basis, deny them.

12 33. Paragraph 33 contains only legal conclusions for which no response by Defendants  
13 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 33 are not  
14 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
15 of them in Paragraph 33 of the FAC. As to the allegations against all other defendants,  
16 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
17 allegations of Paragraph 33 of the FAC, and on that basis, deny them.

18 34. Paragraph 34 contains only legal conclusions for which no response by Defendants  
19 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 34 are not  
20 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
21 of them in Paragraph 34 of the FAC. As to the allegations against all other defendants,  
22 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
23 allegations of Paragraph 34 of the FAC, and on that basis, deny them.

24 35. Paragraph 35 contains only legal conclusions for which no response by Defendants  
25 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 35 are not  
26 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
27 of them in Paragraph 35 of the FAC. As to the allegations against all other defendants,  
28 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the



1 allegations of Paragraph 35 of the FAC, and on that basis, deny them.

2 36. Paragraph 36 contains only legal conclusions for which no response by Defendants  
3 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 36 are not  
4 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
5 of them in Paragraph 36 of the FAC. As to the allegations against all other defendants,  
6 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
7 allegations of Paragraph 36 of the FAC, and on that basis, deny them.

8 37. Paragraph 37 contains only legal conclusions for which no response by Defendants  
9 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 37 are not  
10 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
11 of them in Paragraph 37 of the FAC. As to the allegations against all other defendants,  
12 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
13 allegations of Paragraph 37 of the FAC, and on that basis, deny them.

14 38. Paragraph 38 contains only legal conclusions for which no response by Defendants  
15 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 38 are not  
16 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
17 of them in Paragraph 38 of the FAC. As to the allegations against all other defendants,  
18 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
19 allegations of Paragraph 38 of the FAC, and on that basis, deny them.

20 39. Paragraph 39 contains only legal conclusions for which no response by Defendants  
21 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 39 are not  
22 conclusions, Defendants Shryock and Pure Savings deny them.

23 40. Defendants Shryock and Pure Savings hereby repeat and incorporate by reference  
24 all the admissions and denials of Paragraphs 1 through 39 as if set forth fully herein.

25 41. Paragraph 41 contains only legal conclusions for which no response by Defendants  
26 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 41 are not  
27 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
28 or deny the allegations of Paragraph 41 of the FAC, and on that basis, deny them.

1           42. Paragraph 42 contains only legal conclusions for which no response by Defendants  
2 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 42 are not  
3 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
4 or deny the allegations of Paragraph 42 of the FAC, and on that basis, deny them.

5           43. Paragraph 43 contains only legal conclusions for which no response by Defendants  
6 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 43 are not  
7 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
8 or deny the allegations of Paragraph 43 of the FAC, and on that basis, deny them.

9           44. Paragraph 44 contains only legal conclusions for which no response by Defendants  
10 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 44 are not  
11 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
12 or deny the allegations of Paragraph 44 of the FAC, and on that basis, deny them.

13           45. Paragraph 45 contains only legal conclusions for which no response by Defendants  
14 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 45 are not  
15 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
16 or deny the allegations of Paragraph 45 of the FAC, and on that basis, deny them.

17           46. Paragraph 46 contains only legal conclusions for which no response by Defendants  
18 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 46 are not  
19 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
20 of them in Paragraph 46 of the FAC. As to the allegations against all other defendants,  
21 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
22 allegations of Paragraph 46 of the FAC, and on that basis, deny them.

23           47. Paragraph 47 contains only legal conclusions for which no response by Defendants  
24 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 47 are not  
25 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
26 or deny the allegations of Paragraph 47 of the FAC, and on that basis, deny them.

27           48. Paragraph 48 contains only legal conclusions for which no response by Defendants  
28 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 48 are not

1 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
2 or deny the allegations of Paragraph 48 of the FAC, and on that basis, deny them.

3 49. Paragraph 49 contains only legal conclusions for which no response by Defendants  
4 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 49 are not  
5 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
6 or deny the allegations of Paragraph 49 of the FAC, and on that basis, deny them.

7 50. Paragraph 50 contains only legal conclusions for which no response by Defendants  
8 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 50 are not  
9 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
10 or deny the allegations of Paragraph 50 of the FAC, and on that basis, deny them.

11 51. Paragraph 51 contains only legal conclusions for which no response by Defendants  
12 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 51 are not  
13 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
14 or deny the allegations of Paragraph 51 of the FAC, and on that basis, deny them.

15 52. Paragraph 52 contains only legal conclusions for which no response by Defendants  
16 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 52 are not  
17 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
18 of them in Paragraph 52 of the FAC. As to the allegations against all other defendants,  
19 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
20 allegations of Paragraph 52 of the FAC, and on that basis, deny them.

21 53. Paragraph 53 contains only legal conclusions for which no response by Defendants  
22 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 53 are not  
23 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
24 of them in Paragraph 53 of the FAC. As to the allegations against all other defendants,  
25 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
26 allegations of Paragraph 53 of the FAC, and on that basis, deny them.

27 54. Paragraph 54 contains only legal conclusions for which no response by Defendants  
28 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 54 are not

1 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
2 of them in Paragraph 54 of the FAC. As to the allegations against all other defendants,  
3 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
4 allegations of Paragraph 54 of the FAC, and on that basis, deny them.

5 55. Paragraph 55 contains only legal conclusions for which no response by Defendants  
6 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 55 are not  
7 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
8 of them in Paragraph 55 of the FAC. As to the allegations against all other defendants,  
9 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
10 allegations of Paragraph 55 of the FAC, and on that basis, deny them.

11 56. Paragraph 56 contains only legal conclusions for which no response by Defendants  
12 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 56 are not  
13 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
14 of them in Paragraph 56 of the FAC. As to the allegations against all other defendants,  
15 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
16 allegations of Paragraph 56 of the FAC, and on that basis, deny them.

17 57. Defendants Shryock and Pure Savings hereby repeat and incorporate by reference  
18 all the admissions and denials of Paragraphs 1 through 56 as if set forth fully herein.

19 58. Paragraph 58 contains only legal conclusions for which no response by Defendants  
20 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 58 are not  
21 conclusions, Defendants Shryock and Pure Savings admit that the FAC purports to be a complaint  
22 based on the claims described, and deny all other allegations.

23 59. Paragraph 59 contains only legal conclusions for which no response by Defendants  
24 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 59 are not  
25 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
26 or deny the allegations of Paragraph 59 of the FAC, and on that basis, deny them.

27 60. Paragraph 60 contains only legal conclusions for which no response by Defendants  
28 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 60 are not

1 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
2 or deny the allegations of Paragraph 60 of the FAC, and on that basis, deny them.

3 61. Paragraph 61 contains only legal conclusions for which no response by Defendants  
4 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 61 are not  
5 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
6 of them in Paragraph 61 of the FAC. As to the allegations against all other defendants,  
7 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
8 allegations of Paragraph 61 of the FAC, and on that basis, deny them.

9 62. Paragraph 62 contains only legal conclusions for which no response by Defendants  
10 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 62 are not  
11 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
12 of them in Paragraph 62 of the FAC. As to the allegations against all other defendants,  
13 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
14 allegations of Paragraph 62 of the FAC, and on that basis, deny them.

15 63. Paragraph 63 contains only legal conclusions for which no response by Defendants  
16 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 63 are not  
17 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
18 of them in Paragraph 63 of the FAC. As to the allegations against all other defendants,  
19 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
20 allegations of Paragraph 63 of the FAC, and on that basis, deny them.

21 64. Defendants Shryock and Pure Savings hereby repeat and incorporate by reference  
22 all the admissions and denials of Paragraphs 1 through 63 as if set forth fully herein.

23 65. Paragraph 65 contains only legal conclusions for which no response by Defendants  
24 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 65 are not  
25 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
26 of them in Paragraph 65 of the FAC. As to the allegations against all other defendants,  
27 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
28 allegations of Paragraph 65 of the FAC, and on that basis, deny them.

1           66. Paragraph 66 contains only legal conclusions for which no response by Defendants  
2 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 66 are not  
3 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
4 of them in Paragraph 66 of the FAC. As to the allegations against all other defendants,  
5 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
6 allegations of Paragraph 66 of the FAC, and on that basis, deny them.

7           67. Paragraph 67 contains only legal conclusions for which no response by Defendants  
8 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 67 are not  
9 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
10 of them in Paragraph 67 of the FAC. As to the allegations against all other defendants,  
11 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
12 allegations of Paragraph 67 of the FAC, and on that basis, deny them.

13           68. Paragraph 68 contains only legal conclusions for which no response by Defendants  
14 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 68 are not  
15 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
16 of them in Paragraph 68 of the FAC. As to the allegations against all other defendants,  
17 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
18 allegations of Paragraph 68 of the FAC, and on that basis, deny them.

19           69. Defendants Shryock and Pure Savings hereby repeat and incorporate by reference  
20 all the admissions and denials of Paragraphs 1 through 68 as if set forth fully herein.

21           70. Paragraph 70 contains only legal conclusions for which no response by Defendants  
22 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 70 are not  
23 conclusions, Defendants Shryock and Pure Savings admit that the FAC purports to be a complaint  
24 based on the claims described, and deny all other allegations.

25           71. Paragraph 71 contains only legal conclusions for which no response by Defendants  
26 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 71 are not  
27 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
28 of them in Paragraph 71 of the FAC. As to the allegations against all other defendants,



1 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
2 allegations of Paragraph 71 of the FAC, and on that basis, deny them.

3 72. Paragraph 72 contains only legal conclusions for which no response by Defendants  
4 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 72 are not  
5 conclusions, Defendants Shryock and Pure Savings lack information or belief sufficient to admit  
6 or deny the allegations of Paragraph 72 of the FAC, and on that basis, deny them.

7 73. Paragraph 73 contains only legal conclusions for which no response by Defendants  
8 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 73 are not  
9 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
10 of them in Paragraph 73 of the FAC. As to the allegations against all other defendants,  
11 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
12 allegations of Paragraph 73 of the FAC, and on that basis, deny them.

13 74. Paragraph 74 contains only legal conclusions for which no response by Defendants  
14 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 74 are not  
15 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
16 of them in Paragraph 74 of the FAC. As to the allegations against all other defendants,  
17 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
18 allegations of Paragraph 74 of the FAC, and on that basis, deny them.

19 75. Paragraph 75 contains only legal conclusions for which no response by Defendants  
20 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 75 are not  
21 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
22 of them in Paragraph 75 of the FAC. As to the allegations against all other defendants,  
23 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
24 allegations of Paragraph 75 of the FAC, and on that basis, deny them.

25 76. Defendants Shryock and Pure Savings hereby repeat and incorporate by reference  
26 all the admissions and denials of Paragraphs 1 through 75 as if set forth fully herein.

27 77. Paragraph 77 contains only legal conclusions for which no response by Defendants  
28 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 77 are not

1 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
2 of them in Paragraph 77 of the FAC. As to the allegations against all other defendants,  
3 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
4 allegations of Paragraph 77 of the FAC, and on that basis, deny them.

5 78. Paragraph 78 contains only legal conclusions for which no response by Defendants  
6 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 78 are not  
7 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
8 of them in Paragraph 78 of the FAC. As to the allegations against all other defendants,  
9 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
10 allegations of Paragraph 78 of the FAC, and on that basis, deny them.

11 79. Paragraph 79 contains only legal conclusions for which no response by Defendants  
12 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 79 are not  
13 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
14 of them in Paragraph 79 of the FAC. As to the allegations against all other defendants,  
15 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
16 allegations of Paragraph 79 of the FAC, and on that basis, deny them.

17 80. Paragraph 80 contains only legal conclusions for which no response by Defendants  
18 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 80 are not  
19 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
20 of them in Paragraph 80 of the FAC. As to the allegations against all other defendants,  
21 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
22 allegations of Paragraph 80 of the FAC, and on that basis, deny them.

23 81. Paragraph 81 contains only legal conclusions for which no response by Defendants  
24 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 81 are not  
25 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
26 of them in Paragraph 81 of the FAC. As to the allegations against all other defendants,  
27 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
28 allegations of Paragraph 81 of the FAC, and on that basis, deny them.

1           82. Paragraph 82 contains only legal conclusions for which no response by Defendants  
2 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 82 are not  
3 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
4 of them in Paragraph 82 of the FAC. As to the allegations against all other defendants,  
5 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
6 allegations of Paragraph 82 of the FAC, and on that basis, deny them.

7           83. Paragraph 83 contains only legal conclusions for which no response by Defendants  
8 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 83 are not  
9 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
10 of them in Paragraph 83 of the FAC. As to the allegations against all other defendants,  
11 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
12 allegations of Paragraph 83 of the FAC, and on that basis, deny them.

13           84. Paragraph 84 contains only legal conclusions for which no response by Defendants  
14 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 84 are not  
15 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
16 of them in Paragraph 84 of the FAC. As to the allegations against all other defendants,  
17 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
18 allegations of Paragraph 84 of the FAC, and on that basis, deny them.

19           85. Paragraph 85 contains only legal conclusions for which no response by Defendants  
20 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 85 are not  
21 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
22 of them in Paragraph 85 of the FAC. As to the allegations against all other defendants,  
23 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
24 allegations of Paragraph 85 of the FAC, and on that basis, deny them.

25           86. Defendants Shryock and Pure Savings hereby repeat and incorporate by reference  
26 all the admissions and denials of Paragraphs 1 through 85 as if set forth fully herein.

27           87. Paragraph 87 contains only legal conclusions for which no response by Defendants  
28 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 87 are not

1 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
2 of them in Paragraph 87 of the FAC. As to the allegations against all other defendants,  
3 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
4 allegations of Paragraph 87 of the FAC, and on that basis, deny them.

5 88. Paragraph 88 contains only legal conclusions for which no response by Defendants  
6 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 88 are not  
7 conclusions, Defendants Shryock and Pure Savings deny all allegations directed at them, or either  
8 of them in Paragraph 88 of the FAC. As to the allegations against all other defendants,  
9 Defendants Shryock and Pure Savings lack information or belief sufficient to admit or deny the  
10 allegations of Paragraph 88 of the FAC, and on that basis, deny them.

11 89. Paragraph 89 contains only legal conclusions for which no response by Defendants  
12 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 89 are not  
13 conclusions, Defendants Shryock and Pure Savings admit that the FAC purports to seek the relief  
14 described.

15 90. Defendants Shryock and Pure Savings hereby repeat and incorporate by reference  
16 all the admissions and denials of Paragraphs 1 through 89 as if set forth fully herein.

17 91. Defendants Shryock and Pure Savings deny the allegations contained in Paragraph  
18 91 of the FAC.

19 92. Defendants Shryock and Pure Savings deny the allegations contained in Paragraph  
20 92 of the FAC.

21 93. Defendants Shryock and Pure Savings deny the allegations contained in Paragraph  
22 93 of the FAC.

23 94. Paragraph 94 contains only legal conclusions for which no response by Defendants  
24 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 94 are not  
25 conclusions, Defendants Shryock and Pure Savings admit that Defendants Shryock manages some  
26 business operations of Defendant Pure Savings, but lack information or belief sufficient to admit  
27 or deny the remaining allegations of Paragraph 94 of the FAC, and on that basis, deny them.

28 95. Paragraph 95 contains only legal conclusions for which no response by Defendants

1 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 95 of the FAC are not  
2 conclusions, Defendants Shryock and Pure Savings deny those allegations.

3 96. Paragraph 96 contains only legal conclusions for which no response by Defendants  
4 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 96 of the FAC are not  
5 conclusions, Defendants Shryock and Pure Savings deny those allegations.

6 97. Paragraph 97 contains only legal conclusions for which no response by Defendants  
7 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 97 of the FAC are not  
8 conclusions, Defendants Shryock and Pure Savings deny those allegations.

9 98. Paragraph 98 contains only legal conclusions for which no response by Defendants  
10 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 98 of the FAC are not  
11 conclusions, Defendants Shryock and Pure Savings deny those allegations.

12 99. Paragraph 99 contains only legal conclusions for which no response by Defendants  
13 Shryock and Pure Savings is necessary. To the extent portions of Paragraph 99 of the FAC are not  
14 conclusions, Defendants Shryock and Pure Savings deny those allegations.

15 **DEFENDANTS JACOBY AND SLICK DESIGNS' AFFIRMATIVE DEFENSES**

16 **First Affirmative Defense**

17 1. On information and belief, the FAC, and each cause of action alleged against  
18 Defendants Shryock and Pure Savings therein, fail to state facts sufficient to constitute a cause of  
19 action against Defendants Shryock and Pure Savings.

20 **Second Affirmative Defense**

21 2. On information and belief, Plaintiff's claims for relief are barred in whole or in  
22 part because Plaintiff's would be unjustly enriched if it recovered any damages or relief from  
23 Defendants Shryock and/or Pure Savings.

24 **Third Affirmative Defense**

25 3. On information and belief, the FAC, and each cause of action alleged against  
26 Defendants Shryock and Pure Savings therein, is barred, in whole or in part, by the doctrines of  
27 consent, estoppel, acquiescence, and/or waiver.

28

**Fourth Affirmative Defense**

4. On information and belief, the FAC, and each cause of action alleged against Defendants Shryock and Pure Savings therein, is barred in whole or in part by the doctrine of unclean hands.

**Fifth Affirmative Defense**

5. On information and belief, the FAC, and each cause of action against Defendants Shryock and Pure Savings alleged therein, is barred in whole or in part by the Plaintiff's failure to fulfill its duty to mitigate the damages allegedly suffered.

**Sixth Affirmative Defense**

6. On information and belief, the Fourth and Fifth Causes of Action pled in the FAC are preempted by Federal law.

**Seventh Affirmative Defense**

7. On information and belief, the FAC, and each of the claims alleged against Defendants Shryock and Pure Savings therein, fails to describe the claims made against Defendants Jacoby and Slick Designs with sufficient particularity to enable Defendants Shryock and Pure Savings to determine what defenses they may have in response to Plaintiff's claims. Defendants Shryock and Pure Savings therefore reserve the right to assert all defenses which may be pertinent to Plaintiff's claims once the precise nature of such claims are ascertained through discovery and investigation.

**PRAYER FOR RELIEF**

WHEREFORE, Defendants Shryock and Pure Savings each pray for the following relief:

1. That Plaintiff's First Amended Complaint be dismissed with prejudice, and that Plaintiff's request for damages and other relief be denied in full;

2. That Defendants Shryock and Pure Savings be awarded their attorneys' fees, costs and expenses in this action, pursuant applicable law; and

3. Any further relief as this Court may deem fair and just.



1 DATED: September 1, 2011

QUINTANA LAW GROUP  
A Professional Law Corporation

By:



Andres F. Quintana, Esq.  
John M. Houkom, Esq.  
Attorneys for Defendants Adam  
Shryock and Pure Savings, LLC

1 DEMAND FOR JURY TRIAL

2 Defendants Shryock and Pure Savings respectfully request a trial by jury on all issues so  
3 triable.

4 RESERVATION OF RIGHTS

5 Defendants Shryock and Pure Savings reserve their rights to amend this answer, to assert  
6 additional defenses that may be developed during discovery in this action, and to file a  
7 counterclaim, as appropriate.

8  
9 DATED: September 1, 2011

QUINTANA LAW GROUP  
A Professional Law Corporation

11  
12 By:

  
\_\_\_\_\_  
Andres F. Quintana, Esq.  
John M. Houkom, Esq.  
Attorneys for Defendants Adam  
Shryock and Pure Savings, LLC